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4 Oxnard CA 93030-5038
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048746

5 Attorneys for Debtor

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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 In re

12 ALICIA DWYER,

13 Debtor.

CASE NO. 11-01817-PB11

AMENDED APPLICATION BY DEBTOR TO
EMPLOY SECURE REALTY SOLUTIONS,
LLC; STATEMENT OF POSITION OF THE
UNITED STATES TRUSTEE;
SUPPLEMENTAL DECLARATIONS OF
GREG NAROG AND DAVID A. ST. JOHN IN
RESPONSE TO UNITED STATES
TRUSTEE'S STATEMENT OF POSITION

[11 U.S.C. § 327; Local Rules 2014-1]

[NO HEARING REQUIRED]

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20 TO THE HONORABLE PETER W. BOWIE, UNITED STATES CHIEF JUDGE, AND
21 ALL INTERESTED PARTIES:

22 PLEASE TAKE NOTICE, Alicia Dwyer, debtor and debtor-in-possession, respectfully
23 represents that

24 1. These proceedings were commenced by the filing of a Voluntary Petition under Chapter
25 11 of the Bankruptcy Code on February 2, 2011.

26 2. No trustee has been appointed by the court an Applicant is the debtor-in-possession.

27 3. Applicant desires to employ Secure Realty Solutions, LLC ("Agent"), Greg Narog,
28 Managing Partner and Kevin Narog, Managing partner, and Kevin Narog, Broker-Associate Keller

Amended Application to Employ Real Estate Consultant/Agent

1 Williams Realty, to support the process of creating and compiling the data and advising as to
2 relevant financial calculations for Applicant's proposed Plan, including the fair adjusted Property
3 Price Valuations and adjusted Loan Terms on the Applicant's real property. The Agent has
4 experience in Real Estate Investment Properties and Finance Expertise with regards to Property
5 Valuation especially related to Secured Debt Structure and Value - for both Residential and
6 Commercial Property Workouts in the Southern California area.

7 4. The Agents will manage the process, assemble relevant pricing and market data and
8 advise Applicant in preparing a sustainable positive Return on Investment based upon a fair
9 Revalued Price and fair revised Secured Debt Terms in a form suitable for submission to each
10 Creditor and the Court for consideration. The Agent will complete and perform all necessary tasks
11 to revise the plan as necessary.

12 5. To the best of Applicant's knowledge, based upon by the declaration by Greg Narog,
13 Secure Realty Solutions, LLC, none of its agents and/or employees has any connection with the
14 Applicant, any insider to Applicant, or any past or present creditors of Applicants. The Agent is not
15 and was not an investment banker for any outstanding security of the Applicant.

16 6. The Agent has not been, within three (3) years before the date of the filing of the petition,
17 an investment banker for security of Applicant or for such an investment banker in connection with
18 the offer, sale, or issuance of a security to Applicant.

19 7. The Agent is not and has not been, within two (2) years before the date of the filing of
20 the petition, a director, officer or employee of Applicant or investment banker as classified in
21 subparagraphs (B) or (C) of Bankruptcy Code Section 101(14).

22 8. The Agent does not have an interest materially adverse to the interest of the estate or of
23 any class of creditors, or equity security holders, by reason of any direct or indirect relationship to
24 or in connection with or interest in Applicant or an investment banker as classified in subparagraphs
25 (B) or (C) of the Bankruptcy Code Section 101 (14), or for any other reason.

26 9. The Agent is not a creditor of Applicant for any non-bankruptcy related services.

27 10. The Agent has have not received any money at this time.

28 11. The employment of Secure Realty Solutions, LLC, includes any and all officers, agents,

1 employees or subcontractors of the firm.

2 12. It is in the best interest of the estate to retain Agent because the Agent has extensive
3 background in the price revaluation practices of loan servicers and lenders and can more efficiently
4 provide for the production of an acceptable Plan comprised of Price and Loan Terms plan
5 components than other professionals.

6 13. The Statement of Position from the United States Trustee is attached. Also attached is
7 the Supplemental Declaration of Greg Narog addressing the issues raised by the United States
8 Trustee.

9 WHEREFORE, Applicant prays that she be authorized to employ the Agent with the
10 compensation to be determined pursuant to the fee schedule set forth in the declaration of Greg
11 Narog attached hereto and incorporated herein by reference.

12 Dated: March 10, 2011

Respectfully submitted

13 

14 Alicia Dwyer
15 Debtor and Debtor-in-Possession

16 DECLARATION OF GREG NAROG

17 I, Greg Narog, declare:

18 1. I am a principal in Secure Realty Solutions, LLC (the "Agent"), and hold a Masters in
19 Business Administration from the University of Southern California. A copy of my resume is
20 attached as Exhibit "A" hereto. I make this declaration in support of the foregoing application of
21 the Debtor-in-Possession to employ the Agent in her Chapter 11 case. Each of the matters set forth
22 below is stated of my own personal knowledge and if called as a witness, I could competently testify
23 to each of them.

24 2. To the best of my knowledge, neither I nor any other member of my firm have any
25 financial interest or connection with the debtor or creditors or any other party in interest in this
26 bankruptcy case.

27 3. Neither I nor my firm have any interest adverse to the estate or the debtor. Both the firm
28

1 and I are disinterested persons as the terms are defined in 11 U.S.C. § 101(13).

2 4. Neither the Agent nor any of its employees or agents are, or have been, within two (2)
3 years before the date of the filing of the petition a director, officer or employee of the Debtor as
4 specified in Subparagraph (B) or (C) of the Bankruptcy Code § 101(14).

5 5. The firm has received no retainer from any party. Neither I nor the firm is a holder of pre-
6 petition claims against the Debtor, nor does the firm have any connection with the Debtor or any
7 insider of the Debtor or related entities of the Debtor. The firm has no present expectation of
8 representing such related entities in the future.

9 6. We are willing to accept as compensation for our services the amounts as set forth in our
10 Fee Schedule attached hereto as Exhibit "B" upon approval of the Court.

11 7. The firm acknowledges that our fee is subject to Bankruptcy Court approval. We
12 understand that the Bankruptcy Court has the authority to reduce the rate payable or the overall fee
13 for equitable reasons.

14 I declare under penalty of perjury, under the laws of the State of California, that the
15 foregoing is true and correct to the best of my knowledge, information and belief.

16 Executed on March 10, 2011 at Oxnard, California.

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GREG NAROG

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21 Agent:

22 Secure Realty Solutions, LLC

23
24 By 
GREG NAROG, principal

Resume of Principals of Secure Realty Solutions, LLC

- i. Process Management, Analysis for CH 11 Property & Loan Reports Compilation**
 - a. Greg Narog and/or Kevin Narog**
 - i. Secure Realty Solutions, LLC – Managing Partners**
 1. 323 E. Matilija Street, Ste 110-156 Ojai, CA 93023
 2. California LLC, filed June 27, 2008
 3. EIN – 20-5858741
 4. Ph: 805-646-9824, 805-421-7505
 5. Fax: 805-256-6475
 6. Email: info@securerealtysolutions.com,
Gregu@securerealtysolutions.com, knarog@sbcglobal.net
 - ii. Real Estate Investment, Referral Services, and Loan Workouts; Documents Processing for Commercial and Residential Properties (Secure Realty Solutions, LLC is not a "Short Sale Consultancy")**
 1. Short Sale Loan Documents Processing (MARS Compliant)
 - a. References: Ojai Coldwell Banker Property Shoppe, Ojai Keller Williams Realty, Oak View RE/MAX
 2. Referral Service for Commercial Loan Workouts for Multifamily and other Commercial/Retail/Hospitality Real Estate
 - iii. Greg Narog**
 1. Education
 - a. MBA University of Southern California 1994
 - i. Beta Gamma Sigma
 - b. Masters Degree Electrical Engineering – USC 1978
 - c. Bachelors Degree Biology/minor Business – USC 1975
 - i. Magna Cum Laude, Phi Beta Kappa
 2. Professional (see more detail on LinkedIn – Greg Narog)
 - a. Senior Sales Management – Oval Ideas, Inc.-VP, Cayenne Software(merged Sterling Software 1999) - VP, Cadre Technologies-National Sales Manager
 - b. Consulting – KPMG/BearingPoint-Microsoft Global Acct Mgr, Cognition Partners-Consultant, Star Digital-Consultant
 3. Real Estate Investor/Broker – Skyline Prospecting 1980's- OwnerBroker(license currently inactive) – Wilshire Blvd, Los Angeles; General Partner – Misc Multi-Family Apartment Syndications in Hollywood, CA; Secure Realty Solutions, LLC, Managing Partner
 - b. Kevin Narog**
 - i. Keller Williams Realty - Broker-Associate**
 1. 109 North Blanco Ste Ste 102 Ojai CA 93023

2. California Brokers License ID 01844577
3. Phone: 805-421-7507
4. FAX – 888-789-1515
- ii. Real Estate Agent
 1. Certified Pre-foreclosure Specialist (Short Sale Processing)
 - a. References- Keller Williams Realty, Coldwell Banker – Ojai
 2. Registered BPO agent (Broker Price Opinions – residential)
 3. Registered BOV agent (Broker Opinion of Value – multifamily, commercial)
 4. Registered REO agent (Foreclosed Real Estate Owned Listing Agent)
 5. Member Multiple Listing Service
 6. Member California Association of Realtors – Realtor
 7. Registered Agent “Equator” Loss Mitigation Processing System
 - Bank of America, GMAC, others.
 8. California Broker Licensee
- iii. Education
 1. B.S. Real Estate – California State University Northridge – 2010
 2. B.A Finance – California State University Northridge – 2010
- iv. Professional
 1. Realtor – Keller Williams Realty, Ojai
 2. Facilities and Workplace Safety Compliance, Shipping – Behavioral Sciences & Technology Ojai CA,

The principals of Secure Realty Solutions, LLC have extensive relevant and recent experience in understanding the data and resources major lenders use in ascertaining price and in providing documentation necessary to reach agreement as to acceptable fair market valuation price of properties and relevant market financing issues.

Exhibit "B"

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4 048746

5 Attorneys for Plaintiff ALICIA D. DWYER

6
7
8 **UNITED STATES BANKRUPTCY COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 In re:
11 ALICIA D. DWYER

12 Debtor,

Chapter: 11

Case No. 11-01817-PB-11

13 **SUPPLEMENTAL DECLARATION OF**
14 **GREG NAROG IN RESPONSE TO**
15 **UNITED STATES TRUSTEE'S**
16 **STATEMENT OF POSITION**

[Local Rule 2014-1]

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18 I, Greg Narog, declare:

19 1. I am a principal of Secure Realty Solutions, LLC ("SRS"). I make this
20 Supplemental Declaration in response to the issues raised by the United States Trustee
21 in the Statement of Position to the Application of Debtor to Employ SRS as a real estate
22 valuation and interest rate expert. I have personal knowledge of the facts stated herein
23 and, if called as a witness, I could and would competently testify thereto.

24 2. Specific Services and Estimated Cost

25 The bankruptcy estate consists of six rental/investment properties in San Diego and
26 Ventura Counties. In support of Debtor's case, we will obtain Broker Price Opinions,
27 including exterior and interior inspections and verified rental rate comparables and trends,
28

for a total out-of-pocket cost of approximately \$1,505.00 for the six properties, as follows:

A.	Mississippi (SFR - foundation issues)	\$ 300.00
B.	San Clemente (Fourplex)	270.00
C.	S Santa Rosa (Triplex)	245.00
D.	S Catalina (SFR - verify repairs)	235.00
E.	Utah (Duplex (SFR - verify repairs)	260.00
F.	Church St (SFR)	<u>200.00</u>
		\$1,505.00

A detailed breakdown of cost per property is attached hereto.

Cross checking data, and establishing Fair Value and Fair Terms Offers to the creditor side is estimated to take 1 - 1.5 hours each, or \$350 -\$500 in SRS fees per property. Additional services may include reviewing and responding to values and rates proposed by creditor/servicers if significantly different from Debtor's initial Fair Value and Fair Terms Offers.

3. The Contribution of SRS to the Estate.

SRS will provide general counsel with a Fair Value and Fair Terms opinion using methods, resources and language familiar to the real estate finance industry for use in preparing Debtor's proposed Chapter 11 cram down plan, hopefully, with consensus from the creditor side, or with significantly narrowed issues. It is anticipated that the total time and cost in using an industry based approach to Fair Value and Fair Terms should be significantly less than a prolonged evidentiary battle of forensic experts in court.


Three Key Benefits of SRS:

- A) Cost: Reduced cost in developing and validating real estate and finance valuations and addressing creditor responses.
- B) Accuracy and Fairness: Accuracy, clarity and fairness of the initial proposal and final result for both sides.
- C) Time: Each property in a portfolio is a unique structure in a unique

1 location. In addition, each different lender/servicer will have varying
2 evaluation protocols. Our experience in dealing with multiple lenders should
3 help expedite a fair result.

4 I declare under penalty of perjury, under the laws of the United States of America
5 that the foregoing is true and correct.

6 Executed on March 12, 2011, at Oxnard, California.

7
8 
9 GREG NAROG

Alicia Dwyer - Properties Valuation -- reference data for Greg Narog Supplemental

Since these are investment/rental properties... comparison of the collected rental rates is a factor of the comparable valuation of these properties versus other similar properties... so will include this data to the interpretation of the value derived from the standard structure/land-centric valuation.

Property	Type	No Units	BPO Price	Repair Line Item Details - Estimates	Rental Rates Comparables	AVM and Title	Total
Mississippi	House	2	\$150	Foundation needs Engr Inspection \$80 Incl this data in BPO estimate	\$50	\$15	\$215
San Clemente	Fourplex	4	200	n/a	\$0	\$15	265
S Santa Rosa	Triplex	3	175	n/a	\$0	\$15	240
S Catalina	House	1	125	Flooring, Kitchen, Roof, Sidewalk etc \$40	\$0	\$15	190
Utah	Duplex	2	150	Footings Engr Rept, Plumbing \$40	\$0	\$15	215
Church St	House	1	125	n/a	\$0	\$15	190
							\$1,505

Also:

LPS - Full AVM for each property \$ 15.00 per property
 Title Report - find other liens ? County Inspection agencies issues ? \$ 5.00 per property

Based upon Client's property description reports... verification and validation is needed:

- ✓ Mississippi - requires Foundation Inspection - per client ... Inspection & Estimate \$ 80
- ✓ S Catalina property - validation of List of Repairs needed LINE ITEMS on BPO \$ 40
- ✓ Utah Property - validation of Foundation Repair Quotation LINE ITEMS on BPO \$ 40

Total/Estimated Cost of Inspections and Misc Valuation Reports: \$1,505.00 Dollars

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5 Attorneys for Plaintiff ALICIA D. DWYER

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8 **UNITED STATES BANKRUPTCY COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 In re:

Chapter: 11

11 ALICIA D. DWYER

Case No. 11-01817-PB-11

12 Debtor,

**SUPPLEMENTAL DECLARATION OF
DAVID A. ST. JOHN IN RESPONSE TO
UNITED STATES TRUSTEE'S
STATEMENT OF POSITION**

[Local Rule 2014-1]

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18 I, David A. St. John, declare:

19 1. I am the Attorney for this Chapter 11 Debtor. I make this Supplemental
20 Declaration in response to the issues raised by the United States Trustee in the Statement
21 of Position to the Application of Debtor to Employ Secure Realty Solutions, LLC (SRS). I
22 have personal knowledge of the facts stated herein and, if called as a witness, I could and
23 would competently testify thereto.

24 2. The principals of SRS are unwilling to advance out-of-pocket costs in obtaining
25 the valuation data for investment properties in the estate. The estate is maintaining
26 separate DIP accounts for each property, and there are sufficient funds in each account for
27 such costs, which are reasonable, and necessary to support preparation of debtor's plan,
28 as follows:

Supplemental Declaration of David A. St. John

1	A.	Mississippi (SFR - foundation issues)	\$ 300.00
2	B.	San Clemente (Fourplex)	270.00
3	C.	S Santa Rosa (Triplex)	245.00
4	D.	S Catalina (SFR - verify repairs)	235.00
5	E.	Utah (Duplex (SFR - verify repairs)	260.00
6	F.	Church St (SFR)	<u>200.00</u>
7			\$1,505.00

8 3. Debtor hereby requests Court authorization pay SRS the foregoing out-of-pocket
9 costs.

10 I declare under penalty of perjury, under the laws of the United States of America
11 that the foregoing is true and correct.

12 Executed on March 15, 2011, at Oxnard, California.

13
14
15 
16 DAVID A. ST. JOHN

CSD 3010 [04/28/96]

Name, Address, Telephone No. & I.D. No.

David A. St. John

ST JOHN LAW OFFICES

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048746

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

325 West "F" Street, San Diego, California 92101-6991

In Re

Alicia D. Dwyer,

Debtor.

BANKRUPTCY NO. 11-01817-PB-11

Plaintiffs,

Defendants(s)

PROOF OF SERVICE

I, Nenen Obrador, certify that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made. I further certify that I served a copy of the following documents [describe each document served]: AMENDED EX PARTE APPLICATION TO EMPLOY AGENT, SUPPLEMENTAL DECLARATIONS OF GERG NAROG AND DAVID A. ST. JOHN, [Proposed] ORDER, on March 16, 2011, by:

☒ By E-MAIL to: ustp.region15sop@usdoj.gov (Office of the United States Trustee)

☐ Personal Service - By leaving the documents with the following named person(s) or an officer or agent of the person(s) at:

☐ Residence Service - By leaving the documents with the following adult at:

Under penalty of perjury, I declare that the foregoing is true and correct.

March 16, 2011

[Date]

N. Obrador

[Signature]

Print Name	Nenen Obrador
Business Address	309 South A Street
City, State, ZIP	Oxnard CA 93030-5804